

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARC A. PENNOCK,
Petitioner,

CIVIL ACTION

v.

**JOHN KERESTES, and
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,**
Respondents.

NO. 14-5070

ORDER

AND NOW, this 23rd day of March, 2016, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Marc A. Pennock, the record in this case, the Report and Recommendation of United States Magistrate Judge Richard A. Lloret dated January 28, 2016, and Petitioner's Objections to Magistrate's Report and Recommendation, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Richard A. Lloret dated January 28, 2016, is **APPROVED** and **ADOPTED**;
2. *Pro se* Petitioner's Objections to Magistrate's Report and Recommendation based on the way in which the state courts handled the attempted murder charge against *pro se* petitioner are **OVERRULED** for the reasons stated in the Report and Recommendation which this Court has approved and adopted;
3. The Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Marc A. Pennock, is **DENIED**;
4. A certificate of appealability will not issue because reasonable jurists would not

debate this Court's decision that the petition does not state a valid claim of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.